

I'm one of the folks who has actually read all of the recent comments in the recent 04-151 docket [1] (concerning the opening of the 3650-3700MHz band to the general public). Having read these comments I've noted the overwhelming support not to reopen the proceedings. Thus, I was rather stunned to read the most recent comments from the Satellite Industry Association [2] where they purposefully misstate information to obfuscate the overwhelming public support to open the 3650-3700MHz band. The first part of the SIA response states, "THE COMMISSION SHOULD HEED THE OVERWHELMING CALL FOR EXCLUSIVE LICENSING IN THE 3650-3700 MHZ BAND" [caps original] -- I've seen the responses (and I encourage everyone reading this to go skim through them also) the overwhelming majority of comments have called for non-exclusive licensing. There's been no "overwhelming call for exclusive licensing" -- this is, at best, a misleading statement.

Read more... [3]

The SIA calls the current FCC order, "a recipe for disaster" -- much as the NAB railed against LPFM previously. Claiming that, "the petitions filed in this docket overwhelmingly demonstrate that the Order's 'quasi-licensing' scheme will actually discourage investment in the 3650-3700 MHz band by potential service providers" is itself disingenuous -- while the majority of petitioners wanting to license the 3650-3700MHz band stated they would be discouraged from investing, the majority of WISPs responding clearly felt that licensing would discourage investing -- more importantly, no one actually demonstrated anything nor can anyone say with certainty whether licensing or unlicensing would spur more investment overall in this band.

The SIA claims that the "fundamental underlying issue [is that] the Order creates a potentially disastrous situation given the unique sensitivity and critical importance of affected satellite operations and the novel characteristics of new users in the band." So here's my challenge to the SIA -- if base stations in the 3650-3700MHz band create this "disastrous situation" you're so worried about, we'll turn over the band to the SIA; if, however, this "disastrous situation" doesn't manifest itself (i.e., if harmful interference from base stations outside the exclusion zones don't cause "a severe negative impact on the FSS earth stations"), then you give up your geographical exclusion zones so that we can have nation-wide 3650-3700MHz coverage. So what do you say SIA? Is it a deal?

Meanwhile, the WiMax Forum posted new comments [4] on the 3650-3700MHz proceedings reiterating exactly what they said before and ignoring numerous critiques, questions, and concerns with their original statements. My favorite part of the WiMax forum response was:

The WiMAX Forum notes that the Opposition of Champaign Urbana Community Wireless Network at 8 [sic] questions if the opposition to the contention protocol requirement is still valid with the formation of the IEEE 802.16h task group. The WiMAX Forum wishes to point out that the scope of this task group is to enable coexistence among license-exempt systems based on IEEE Standard 802.16 and to facilitate the coexistence of such systems with primary users. We remained convinced that the contention protocol requirement should be eliminated.

It's sort of like saying, yeah, you're right, this problem would be solved... but knowing that we're going to ignore that piece of information.

More tellingly, petitioners wanting to reopen the proceedings claim, that quality of service and industry investment "are not possible with self-coordinated contention protocols based on the mutual obligation to cooperate [5]." Yet solutions to the contention protocol requirement (which allow 3650-3700MHz devices to "play nice" with each-other) exist and are relatively easy to implement, but hey, don't take my word for it -- take a look at one of the petitioner's own press releases [6] where they state on July 13th,

Underscoring Alvarion's leadership role in many global standards bodies, Goldhamer's appointment demonstrates the company's commitment to develop a protocol that will significantly increase the market potential of multi-vendor wireless metropolitan area network systems based on the IEEE 802.16 (WiMAX) standard. This protocol will also provide a solution for the so-called "contention-based protocol", requested by the newly released FCC Rules that allow for non-exclusive licensing in the 3650-3700 MHz band.

That's right -- the exact same company that claimed in their petition to the FCC that the contention-based protocol wasn't viable (on June 10th) sent out a press release that they would "provide a solution for the so-called 'contention-based protocol'" (on July 13th). Anyone else think there's something fishy going on?

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